

REMARKS/ARGUMENTS

The Examiner is thanked for the clarity and conciseness of the Office Action and for the citation of the references which have been studied with interest and care.

Claim Objections

Claims 1-6 were objected to with respect to machine/machines usage language which the Examiner asserted was confusing. The claims have been amended in response to the Examiner's concern. Withdrawal of this objection is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-19 were rejected under 35 U.S.C. 102(e) as being anticipated by Kolls (US 2002/0077889 A1).

Kolls relates to a universal advertising and payment system for networking, monitoring, collecting data, selling goods and services, controlling interactive advertising, controlling and effectuating electronic commerce and controlling vending equipment. While Kolls does indeed disclose that a biometric or other test can be performed to determine if the use of the vending machine has been authorized, the present invention is readily distinguishable for the reasons discussed below.

In an example embodiment of Applicant's invention, the rates to be charged for machine usage can depend upon the identity of the person using the machine and/or upon the account, project, department, employer, business or other entity associated with the user of the machine. The rates to be charged for machine usage can also depend upon a location of a machine that was used, a time that a machine was used and/or whether a usage of the machine was authorized. The rates to be charged can also take into consideration a preferred status of particular clients, discounts (e.g., bulk usage discounts), rate adjustments (e.g., rate increases for rush jobs), and other adjusting factors.

The processing system of the present invention can also be configured such that charges associated with a particular user are allocated to different accounts depending upon which machine was used, the location of the machine, the amount of usage, the type of usage, the time of machine usage, whether a project authorization was provided for the particular usage, etc. The processing system can additionally be configured to notify users that they are not authorized to use a particular machine for company business and that any usage will be charged to their personal account.

Claim 1 recites:

1. (currently amended) A method for using biometric characteristics ~~to monitor machine usage~~, comprising the steps of:

providing a database of information pertaining to machines to be monitored and biometric characteristics of a group of users of the machines;

providing the machines to be monitored with mechanisms for determining biometric characteristics of users of the machines during usages of the machines;

employing a communications mechanism to transmit the biometric characteristics of the users of the machines, and machine usage information associated with the usages of the machines, to a processor which has access to the database of information; and

employing the processor to process the biometric characteristics of the users of the machines, the machine usage information, and information from the database to determine amounts to be allocated for the usages of the machines, the amounts being determined by different rates depending upon which of multiple different users is associated with the biometric characteristics.

Kolls provides no disclosure or suggestion of using biometrics to facilitate an automated billing functionality as recited in amended claim 1. Moreover, Kolls provides no disclosure or suggestion of allocating charges for machine usage at different rates depending upon the identity of a person who used the machine. Independent claims 11 and 12 have been amended to include limitations similar to those recited in amended claim 1. For the reasons discussed above, withdrawal of the rejection of claims 1-19 is respectfully requested.

Further with respect to claim 19, Kolls does not disclose or suggest a processor that is configured to allocate the machine usage charge to one or more of a plurality of accounts *depending upon whether a usage of a machine was authorized*. For example, as discussed above, Applicant's processing system can additionally be configured to notify users that they are not authorized to use a particular machine for company business and that any usage will be charged to their personal account. In contrast, Kolls merely teaches using a biometric test to authorize vending machine usage, not a processing system configured to allocate machine usage charges depending upon whether a usage of the machine was authorized.

For the reasons discussed above, it is respectfully submitted that none of Applicant's claims are anticipated by or would have been obvious to one of ordinary skill in the art over Kolls. Withdrawal of this rejection is respectfully requested.

CONCLUDING REMARKS

Applicant submits that the application is in condition for allowance. Concurrence by the Examiner and early passage of the application to issue are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter L. Holmes', written over a horizontal line.

Peter L. Holmes
Reg. No. 37,353
Attorney for Applicant

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HENRICKS, SLAVIN & HOLMES LLP
840 Apollo Street, Suite 200
El Segundo, California 90245-4737
Telephone: (310) 563-1454
Facsimile: (310) 563-1460